

Senate Study Bill 1193 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE
SYSTEM)

A BILL FOR

- 1 An Act relating to appropriations to the justice system.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

APPROPRIATIONS

1. There is appropriated from the general fund of the state the department of justice for the fiscal year beginning July 2017, and ending June 30, 2018, the following amounts, or much thereof as is necessary, to be used for the purposes signated:

a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes, including the prosecuting attorneys training program, matching funds for federal violence against women grant programs, victim assistance grants, office of drug control policy prosecuting attorney program, and odometer fraud enforcement, and for not more than the following full-time equivalent positions:

As a condition of receiving the appropriation provided in this lettered paragraph, the department of justice shall maintain a record of the estimated time incurred representing each agency or department.

The moneys appropriated in this lettered paragraph shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

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1 positions to provide maintenance for victim compensation
2 functions and such additional full-time equivalent positions
3 shall be used by the department of justice to employ one
4 accountant and four program planners. The department of
5 justice may employ the additional 5.00 full-time equivalent
6 positions authorized pursuant to this lettered paragraph only
7 if the department of justice receives sufficient federal moneys
8 to maintain employment for the additional full-time equivalent
9 positions during the current fiscal year. The department
10 of justice shall only employ the additional 5.00 full-time
11 equivalent positions in succeeding fiscal years if sufficient
12 federal moneys are received during each of those succeeding
13 fiscal years.

14 The department of justice shall transfer at least \$150,000
15 from the victim compensation fund established in section 915.94
16 to the victim assistance grant program.

17 Notwithstanding section 8.33, moneys appropriated in this
18 paragraph "b" that remain unencumbered or unobligated at the
19 close of the fiscal year shall not revert but shall remain
20 available for expenditure for the purposes designated until the
21 close of the succeeding fiscal year.

22 c. For legal services for persons in poverty grants as
23 provided in section 13.34:

24 \$ 2,304,601

25 2. a. The department of justice, in submitting budget
26 estimates for the fiscal year commencing July 1, 2018, pursuant
27 to section 8.23, shall include a report of funding from sources
28 other than amounts appropriated directly from the general fund
29 of the state to the department of justice or to the office of
30 consumer advocate. These funding sources shall include but
31 are not limited to reimbursements from other state agencies,
32 commissions, boards, or similar entities, and reimbursements
33 from special funds or internal accounts within the department
34 of justice. The department of justice shall also report actual
35 reimbursements for the fiscal year commencing July 1, 2017,

1 and actual and expected reimbursements for the fiscal year
2 commencing July 1, 2018.

3 b. The department of justice shall include the report
4 required under paragraph "a", as well as information regarding
5 any revisions occurring as a result of reimbursements actually
6 received or expected at a later date, in a report to the
7 co-chairpersons and ranking members of the joint appropriations
8 subcommittee on the justice system and the legislative services
9 agency. The department of justice shall submit the report on
10 or before January 15, 2018.

11 3. a. The department of justice shall reimburse the
12 costs and necessary related expenses incurred by the Iowa
13 law enforcement academy to employ one additional instructor
14 position who shall provide training for domestic abuse and
15 human trafficking-related issues throughout the state.

16 b. The department of justice shall obtain the moneys
17 necessary to reimburse the Iowa law enforcement academy to
18 employ such an instructor from unrestricted moneys from either
19 the victim compensation fund established in section 915.94, the
20 human trafficking victim fund established in section 915.95, or
21 the human trafficking enforcement fund established in 2015 Iowa
22 Acts, chapter 138, section 141.

23 Sec. 2. CONSUMER EDUCATION AND LITIGATION — FARM
24 MEDIATION. Notwithstanding section 714.16C, there is
25 appropriated from the consumer education and litigation fund to
26 the department of justice for the fiscal year beginning July
27 1, 2017, and ending June 30, 2018, the following amount, or
28 so much thereof as is necessary, to be used for the purposes
29 designated:

30 For farm mediation services as specified in section 13.13,
31 subsection 2:

32 \$ 300,000

33 Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is appropriated
34 from the department of commerce revolving fund created in
35 section 546.12 to the office of consumer advocate of the

1 department of justice for the fiscal year beginning July 1,
2 2017, and ending June 30, 2018, the following amount, or so
3 much thereof as is necessary, to be used for the purposes
4 designated:

5 For salaries, support, maintenance, and miscellaneous
6 purposes, and for not more than the following full-time
7 equivalent positions:

8 \$ 3,137,588
9 FTEs 22.00

10 Sec. 4. DEPARTMENT OF CORRECTIONS — FACILITIES.

11 1. There is appropriated from the general fund of the state
12 to the department of corrections for the fiscal year beginning
13 July 1, 2017, and ending June 30, 2018, the following amounts,
14 or so much thereof as is necessary, to be used for the purposes
15 designated:

16 a. For the operation of the Fort Madison correctional
17 facility, including salaries, support, maintenance, and
18 miscellaneous purposes:

19 \$ 42,719,050

20 b. For the operation of the Anamosa correctional facility,
21 including salaries, support, maintenance, and miscellaneous
22 purposes:

23 \$ 32,827,163

24 c. For the operation of the Oakdale correctional facility,
25 including salaries, support, maintenance, and miscellaneous
26 purposes:

27 \$ 59,491,533

28 d. For the operation of the Newton correctional facility,
29 including salaries, support, maintenance, and miscellaneous
30 purposes:

31 \$ 27,661,220

32 e. For the operation of the Mount Pleasant correctional
33 facility, including salaries, support, maintenance, and
34 miscellaneous purposes:

35 \$ 24,676,413

1 f. For the operation of the Rockwell City correctional
2 facility, including salaries, support, maintenance, and
3 miscellaneous purposes:
4 \$ 9,720,458

5 g. For the operation of the Clarinda correctional facility,
6 including salaries, support, maintenance, and miscellaneous
7 purposes:
8 \$ 25,085,406

9 Moneys received by the department of corrections as
10 reimbursement for services provided to the Clarinda youth
11 corporation are appropriated to the department and shall be
12 used for the purpose of operating the Clarinda correctional
13 facility.

14 h. For the operation of the Mitchellville correctional
15 facility, including salaries, support, maintenance, and
16 miscellaneous purposes:
17 \$ 22,394,090

18 i. For the operation of the Fort Dodge correctional
19 facility, including salaries, support, maintenance, and
20 miscellaneous purposes:
21 \$ 29,766,995

22 j. For reimbursement of counties for temporary confinement
23 of prisoners, as provided in sections 901.7, 904.908, and
24 906.17, and for offenders confined pursuant to section 904.513:
25 \$ 1,575,092

26 k. For federal prison reimbursement, reimbursements for
27 out-of-state placements, and miscellaneous contracts:
28 \$ 484,411

29 2. The department of corrections shall use moneys
30 appropriated in subsection 1 to continue to contract for the
31 services of a Muslim imam and a Native American spiritual
32 leader.

33 Sec. 5. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.
34 There is appropriated from the general fund of the state to the
35 department of corrections for the fiscal year beginning July

1 1, 2017, and ending June 30, 2018, the following amounts, or
2 so much thereof as is necessary, to be used for the purposes
3 designated:

4 1. For general administration, including salaries, support,
5 maintenance, employment of an education director to administer
6 a centralized education program for the correctional system,
7 and miscellaneous purposes:

8 \$ 5,153,905

9 a. It is the intent of the general assembly that each
10 lease negotiated by the department of corrections with a
11 private corporation for the purpose of providing private
12 industry employment of inmates in a correctional institution
13 shall prohibit the private corporation from utilizing inmate
14 labor for partisan political purposes for any person seeking
15 election to public office in this state and that a violation
16 of this requirement shall result in a termination of the lease
17 agreement.

18 b. It is the intent of the general assembly that as a
19 condition of receiving the appropriation provided in this
20 subsection the department of corrections shall not enter into
21 a lease or contractual agreement pursuant to section 904.809
22 with a private corporation for the use of building space for
23 the purpose of providing inmate employment without providing
24 that the terms of the lease or contract establish safeguards to
25 restrict, to the greatest extent feasible, access by inmates
26 working for the private corporation to personal identifying
27 information of citizens.

28 2. For educational programs for inmates at state penal
29 institutions:

30 \$ 2,608,109

31 a. To maximize the funding for educational programs,
32 the department shall establish guidelines and procedures to
33 prioritize the availability of educational and vocational
34 training for inmates based upon the goal of facilitating an
35 inmate's successful release from the correctional institution.

1 b. The director of the department of corrections may
2 transfer moneys from Iowa prison industries and the canteen
3 operating funds established pursuant to section 904.310, for
4 use in educational programs for inmates.

5 c. Notwithstanding section 8.33, moneys appropriated in
6 this subsection that remain unobligated or unexpended at the
7 close of the fiscal year shall not revert but shall remain
8 available to be used only for the purposes designated in this
9 subsection until the close of the succeeding fiscal year.

10 3. For the development of the Iowa corrections offender
11 network (ICON) data system:

12 \$ 2,000,000

13 4. For offender mental health and substance abuse
14 treatment:

15 \$ 28,065

16 5. For department-wide duties, including operations, costs,
17 and miscellaneous purposes:

18 \$ 1,297,894

19 Sec. 6. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
20 SERVICES.

21 1. There is appropriated from the general fund of the state
22 to the department of corrections for the fiscal year beginning
23 July 1, 2017, and ending June 30, 2018, for salaries, support,
24 maintenance, and miscellaneous purposes, the following amounts,
25 or so much thereof as is necessary, to be used for the purposes
26 designated:

27 a. For the first judicial district department of
28 correctional services:

29 \$ 14,636,766

30 It is the intent of the general assembly that the first
31 judicial district department of correctional services maintain
32 the drug courts operated by the district department.

33 b. For the second judicial district department of
34 correctional services:

35 \$ 11,383,739

1 It is the intent of the general assembly that the second
2 judicial district department of correctional services establish
3 and maintain two drug courts to be operated by the district
4 department.

5 c. For the third judicial district department of
6 correctional services:

7 \$ 7,167,957

8 d. For the fourth judicial district department of
9 correctional services:

10 \$ 5,579,922

11 e. For the fifth judicial district department of
12 correctional services, including funding for electronic
13 monitoring devices for use on a statewide basis:

14 \$ 20,857,940

15 It is the intent of the general assembly that the fifth
16 judicial district department of correctional services maintain
17 the drug court operated by the district department.

18 f. For the sixth judicial district department of
19 correctional services:

20 \$ 14,713,165

21 It is the intent of the general assembly that the sixth
22 judicial district department of correctional services maintain
23 the drug court operated by the district department.

24 g. For the seventh judicial district department of
25 correctional services:

26 \$ 7,777,341

27 It is the intent of the general assembly that the seventh
28 judicial district department of correctional services maintain
29 the drug court operated by the district department.

30 h. For the eighth judicial district department of
31 correctional services:

32 \$ 8,084,521

33 2. Each judicial district department of correctional
34 services, within the funding available, shall continue programs
35 and plans established within that district to provide for

1 intensive supervision, sex offender treatment, diversion of
2 low-risk offenders to the least restrictive sanction available,
3 job development, and expanded use of intermediate criminal
4 sanctions.

5 3. Each judicial district department of correctional
6 services shall provide alternatives to prison consistent with
7 chapter 901B. The alternatives to prison shall ensure public
8 safety while providing maximum rehabilitation to the offender.
9 A judicial district department of correctional services may
10 also establish a day program.

11 4. The governor's office of drug control policy shall
12 consider federal grants made to the department of corrections
13 for the benefit of each of the eight judicial district
14 departments of correctional services as local government
15 grants, as defined pursuant to federal regulations.

16 5. The department of corrections shall continue to contract
17 with a judicial district department of correctional services to
18 provide for the rental of electronic monitoring equipment which
19 shall be available statewide.

20 Sec. 7. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
21 APPROPRIATIONS. Notwithstanding section 8.39, within the
22 moneys appropriated in this division of this Act to the
23 department of corrections, the department may reallocate the
24 moneys appropriated and allocated as necessary to best fulfill
25 the needs of the correctional institutions, administration
26 of the department, and the judicial district departments of
27 correctional services. However, in addition to complying with
28 the requirements of sections 904.116 and 905.8 and providing
29 notice to the legislative services agency, the department
30 of corrections shall also provide notice to the department
31 of management, prior to the effective date of the revision
32 or reallocation of an appropriation made pursuant to this
33 section. The department of corrections shall not reallocate an
34 appropriation or allocation for the purpose of eliminating any
35 program.

1 Sec. 8. INTENT — REPORTS.

2 1. The department of corrections in cooperation with
3 townships, the Iowa cemetery associations, and other nonprofit
4 or governmental entities may use inmate labor during the
5 fiscal year beginning July 1, 2017, to restore or preserve
6 rural cemeteries and historical landmarks. The department in
7 cooperation with the counties may also use inmate labor to
8 clean up roads, major water sources, and other water sources
9 around the state.

10 2. On a quarterly basis the department shall provide a
11 status report regarding private-sector employment to the
12 legislative services agency beginning on July 1, 2017. The
13 report shall include the number of offenders employed in the
14 private sector, the combined number of hours worked by the
15 offenders, the total amount of allowances, and the distribution
16 of allowances pursuant to section 904.702, including any moneys
17 deposited in the general fund of the state.

18 Sec. 9. ELECTRONIC MONITORING REPORT. The department of
19 corrections shall submit a report on electronic monitoring to
20 the general assembly, to the co-chairpersons and the ranking
21 members of the joint appropriations subcommittee on the justice
22 system, and to the legislative services agency by January
23 15, 2018. The report shall specifically address the number
24 of persons being electronically monitored and break down the
25 number of persons being electronically monitored by offense
26 committed. The report shall also include a comparison of any
27 data from the prior fiscal year with the current year.

28 Sec. 10. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

29 1. As used in this section, unless the context otherwise
30 requires, "state agency" means the government of the state
31 of Iowa, including but not limited to all executive branch
32 departments, agencies, boards, bureaus, and commissions, the
33 judicial branch, the general assembly and all legislative
34 agencies, institutions within the purview of the state board of
35 regents, and any corporation whose primary function is to act

1 as an instrumentality of the state.

2 2. State agencies are encouraged to purchase products from
3 Iowa state industries, as defined in section 904.802, when
4 purchases are required and the products are available from
5 Iowa state industries. State agencies shall obtain bids from
6 Iowa state industries for purchases of office furniture during
7 the fiscal year beginning July 1, 2017, exceeding \$5,000 or
8 in accordance with applicable administrative rules related to
9 purchases for the agency.

10 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

11 1. There is appropriated from the general fund of the
12 state to the Iowa law enforcement academy for the fiscal year
13 beginning July 1, 2017, and ending June 30, 2018, the following
14 amount, or so much thereof as is necessary, to be used for the
15 purposes designated:

16 For salaries, support, maintenance, and miscellaneous
17 purposes, including jailer training and technical assistance,
18 and for not more than the following full-time equivalent
19 positions:

20	\$	954,756
21	FTEs	25.00

22 The Iowa law enforcement academy may temporarily exceed and
23 draw more than the amount appropriated in this subsection and
24 incur a negative cash balance as long as there are receivables
25 equal to or greater than the negative balance and the amount
26 appropriated in this subsection is not exceeded at the close
27 of the fiscal year.

28 2. The Iowa law enforcement academy may select at least
29 five automobiles of the department of public safety, division
30 of state patrol, prior to turning over the automobiles to
31 the department of administrative services to be disposed
32 of by public auction, and the Iowa law enforcement academy
33 may exchange any automobile owned by the academy for each
34 automobile selected if the selected automobile is used in
35 training law enforcement officers at the academy. However, any

1 automobile exchanged by the academy shall be substituted for
2 the selected vehicle of the department of public safety and
3 sold by public auction with the receipts being deposited in the
4 depreciation fund to the credit of the department of public
5 safety, division of state patrol.

6 3. The Iowa law enforcement academy shall provide training
7 for domestic abuse and human trafficking-related issues
8 throughout the state. The training shall be offered at no
9 cost to the attendees and the training shall not replace any
10 existing domestic abuse or human trafficking training offered
11 by the academy.

12 Sec. 12. STATE PUBLIC DEFENDER. There is appropriated from
13 the general fund of the state to the office of the state public
14 defender of the department of inspections and appeals for the
15 fiscal year beginning July 1, 2017, and ending June 30, 2018,
16 the following amounts, or so much thereof as is necessary, to
17 be used for the purposes designated:

18 1. For salaries, support, maintenance, and miscellaneous
19 purposes, and for not more than the following full-time
20 equivalent positions:

21 \$ 26,182,243
22 FTEs 223.00

23 2. For payments on behalf of eligible adults and juveniles
24 from the indigent defense fund, in accordance with section
25 815.11:

26 \$ 33,444,448

27 Sec. 13. BOARD OF PAROLE. There is appropriated from the
28 general fund of the state to the board of parole for the fiscal
29 year beginning July 1, 2017, and ending June 30, 2018, the
30 following amount, or so much thereof as is necessary, to be
31 used for the purposes designated:

32 For salaries, support, maintenance, and miscellaneous
33 purposes, and for not more than the following full-time
34 equivalent positions:

35 \$ 1,191,731

1 FTEs 10.75

2 Sec. 14. DEPARTMENT OF PUBLIC DEFENSE.

3 1. There is appropriated from the general fund of the
4 state to the department of public defense, for the fiscal year
5 beginning July 1, 2017, and ending June 30, 2018, the following
6 amounts, or so much thereof as is necessary, to be used for the
7 purposes designated:

8 For salaries, support, maintenance, and miscellaneous
9 purposes, and for not more than the following full-time
10 equivalent positions:

11 \$ 6,223,324

12 FTEs 248.00

13 2. The department of public defense may temporarily exceed
14 and draw more than the amount appropriated in this section and
15 incur a negative cash balance as long as there are receivables
16 of federal funds equal to or greater than the negative balance
17 and the amount appropriated in this section is not exceeded at
18 the close of the fiscal year.

19 Sec. 15. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
20 MANAGEMENT.

21 1. There is appropriated from the general fund of the state
22 to the department of homeland security and emergency management
23 for the fiscal year beginning July 1, 2017, and ending June
24 30, 2018, the following amounts, or so much thereof as is
25 necessary, to be used for the purposes designated:

26 For salaries, support, maintenance, and miscellaneous
27 purposes, and for not more than the following full-time
28 equivalent positions:

29 \$ 2,121,927

30 FTEs 33.87

31 2. The department of homeland security and emergency
32 management may temporarily exceed and draw more than the amount
33 appropriated in this section and incur a negative cash balance
34 as long as there are receivables of federal funds equal to or
35 greater than the negative balance and the amount appropriated

1 in this section is not exceeded at the close of the fiscal
2 year.

3 Sec. 16. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
4 from the general fund of the state to the department of public
5 safety for the fiscal year beginning July 1, 2017, and ending
6 June 30, 2018, the following amounts, or so much thereof as is
7 necessary, to be used for the purposes designated:

8 1. For the department's administrative functions, including
9 the criminal justice information system, and for not more than
10 the following full-time equivalent positions:

11	\$	4,143,131
12	FTEs	37.00

13 2. For the division of criminal investigation, including
14 the state's contribution to the peace officers' retirement,
15 accident, and disability system provided in chapter 97A in the
16 amount of the state's normal contribution rate, as defined in
17 section 97A.8, multiplied by the salaries for which the moneys
18 are appropriated, to meet federal fund matching requirements,
19 and for not more than the following full-time equivalent
20 positions:

21	\$	13,590,544
22	FTEs	160.00

23 The division of criminal investigation may employ two of
24 the three additional full-time equivalent positions authorized
25 pursuant to this subsection that are in excess of the number
26 of full-time equivalent positions authorized for the previous
27 fiscal year only if the division of criminal investigation
28 receives sufficient federal moneys to maintain employment for
29 the additional 2.00 full-time equivalent positions during the
30 current fiscal year. The division of criminal investigation
31 shall only employ the additional 2.00 full-time equivalent
32 positions in succeeding fiscal years if sufficient federal
33 moneys are received during each of those succeeding fiscal
34 years.

35 3. For the criminalistics laboratory fund created in

1 section 691.9:

2 \$ 302,345

3 4. a. For the division of narcotics enforcement, including
4 the state's contribution to the peace officers' retirement,
5 accident, and disability system provided in chapter 97A in the
6 amount of the state's normal contribution rate, as defined in
7 section 97A.8, multiplied by the salaries for which the moneys
8 are appropriated, to meet federal fund matching requirements,
9 and for not more than the following full-time equivalent
10 positions:

11 \$ 7,453,300

12 FTEs 66.50

13 The division of narcotics enforcement may employ an
14 additional 1.00 full-time equivalent position authorized
15 pursuant to this lettered paragraph that is in excess of
16 the number of full-time equivalent positions authorized for
17 the previous fiscal year only if the division of narcotics
18 enforcement receives sufficient federal moneys to maintain
19 employment for the additional full-time equivalent position
20 during the current fiscal year. The division of narcotics
21 enforcement shall only employ the additional full-time
22 equivalent position in succeeding fiscal years if sufficient
23 federal moneys are received during each of those succeeding
24 fiscal years.

25 b. For the division of narcotics enforcement for undercover
26 purchases:

27 \$ 109,042

28 5. For the division of state fire marshal, for fire
29 protection services as provided through the state fire service
30 and emergency response council as created in the department,
31 and for the state's contribution to the peace officers'
32 retirement, accident, and disability system provided in chapter
33 97A in the amount of the state's normal contribution rate,
34 as defined in section 97A.8, multiplied by the salaries for
35 which the moneys are appropriated, and for not more than the

1 following full-time equivalent positions:

2 \$ 4,686,714
3 FTEs 53.00

4 6. For the division of state patrol, for salaries, support,
5 maintenance, workers' compensation costs, and miscellaneous
6 purposes, including the state's contribution to the peace
7 officers' retirement, accident, and disability system provided
8 in chapter 97A in the amount of the state's normal contribution
9 rate, as defined in section 97A.8, multiplied by the salaries
10 for which the moneys are appropriated, and for not more than
11 the following full-time equivalent positions:

12 \$ 61,366,340
13 FTEs 511.40

14 It is the intent of the general assembly that members of the
15 state patrol be assigned to patrol the highways and roads in
16 lieu of assignments for inspecting school buses for the school
17 districts.

18 7. For deposit in the sick leave benefits fund established
19 under section 80.42 for all departmental employees eligible to
20 receive benefits for accrued sick leave under the collective
21 bargaining agreement:

22 \$ 279,517

23 8. For costs associated with the training and equipment
24 needs of volunteer fire fighters:

25 \$ 825,520

26 a. Notwithstanding section 8.33, moneys appropriated in
27 this subsection that remain unencumbered or unobligated at the
28 close of the fiscal year shall not revert but shall remain
29 available for expenditure only for the purpose designated in
30 this subsection until the close of the succeeding fiscal year.

31 b. Notwithstanding section 8.39, the department of public
32 safety may reallocate moneys appropriated in this section
33 as necessary to best fulfill the needs provided for in the
34 appropriation. However, the department shall not reallocate
35 moneys appropriated to the department in this section unless

1 notice of the reallocation is given to the legislative services
2 agency and the department of management prior to the effective
3 date of the reallocation. The notice shall include information
4 regarding the rationale for reallocating the moneys. The
5 department shall not reallocate moneys appropriated in this
6 section for the purpose of eliminating any program.

7 9. For the public safety interoperable and broadband
8 communications fund established in section 80.44:

9 \$ 115,661

10 10. For the office to combat human trafficking established
11 pursuant to section 80.45, as enacted by 2016 Iowa Acts,
12 chapter 1077, section 1, including salaries, support,
13 maintenance, miscellaneous purposes, and for not more than the
14 following full-time equivalent positions:

15 \$ 150,000

16 FTEs 2.00

17 11. For department-wide duties, including operations,
18 costs, and miscellaneous purposes:

19 \$ 1,834,973

20 Sec. 17. GAMING ENFORCEMENT.

21 1. There is appropriated from the gaming enforcement
22 revolving fund created in section 80.43 to the department of
23 public safety for the fiscal year beginning July 1, 2017, and
24 ending June 30, 2018, the following amount, or so much thereof
25 as is necessary, to be used for the purposes designated:

26 For any direct support costs for agents and officers of
27 the division of criminal investigation's excursion gambling
28 boat, gambling structure, and racetrack enclosure enforcement
29 activities, including salaries, support, maintenance, and
30 miscellaneous purposes, and for not more than the following
31 full-time equivalent positions:

32 \$ 10,841,272

33 FTEs 73.00

34 2. For each additional license to conduct gambling games on
35 an excursion gambling boat, gambling structure, or racetrack

1 enclosure issued during the fiscal year beginning July 1, 2017,
2 there is appropriated from the gaming enforcement fund to the
3 department of public safety for the fiscal year beginning July
4 1, 2017, and ending June 30, 2018, an additional amount of not
5 more than \$300,000 to be used for not more than 3.00 additional
6 full-time equivalent positions.

7 3. The department of public safety, with the approval of the
8 department of management, may employ no more than three special
9 agents for each additional riverboat or gambling structure
10 regulated after July 1, 2017, and three special agents for
11 each racing facility which becomes operational during the
12 fiscal year which begins July 1, 2017. Positions authorized
13 in this subsection are in addition to the full-time equivalent
14 positions otherwise authorized in this section.

15 Sec. 18. CIVIL RIGHTS COMMISSION.

16 1. There is appropriated from the general fund of the state
17 to the Iowa state civil rights commission for the fiscal year
18 beginning July 1, 2017, and ending June 30, 2018, the following
19 amount, or so much thereof as is necessary, to be used for the
20 purposes designated:

21 For salaries, support, maintenance, and miscellaneous
22 purposes, and for not more than the following full-time
23 equivalent positions:

24	\$	1,157,062
25	FTEs	30.00

26 2. The Iowa state civil rights commission may enter into
27 a contract with a nonprofit organization to provide legal
28 assistance to resolve civil rights complaints.

29 Sec. 19. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION.

30 1. There is appropriated from the general fund of the state
31 to the criminal and juvenile justice planning division of the
32 department of human rights for the fiscal year beginning July
33 1, 2017, and ending June 30, 2018, the following amount, or
34 so much thereof as is necessary, to be used for the purposes
35 designated:

1 For salaries, support, maintenance, and miscellaneous
2 purposes, and for not more than the following full-time
3 equivalent positions:

4 \$ 1,187,833
5 FTEs 9.56

6 2. The criminal and juvenile justice planning advisory
7 council and the juvenile justice advisory council shall
8 coordinate their efforts in carrying out their respective
9 duties relative to juvenile justice.

10 Sec. 20. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
11 MANAGEMENT. There is appropriated from the E911 emergency
12 communications fund created in section 34A.7A to the department
13 of homeland security and emergency management for the fiscal
14 year beginning July 1, 2017, and ending June 30, 2018, the
15 following amount, or so much thereof as is necessary, to be
16 used for the purposes designated:

17 For implementation, support, and maintenance of the
18 functions of the administrator and program manager under
19 chapter 34A and to employ the auditor of the state to perform
20 an annual audit of the E911 emergency communications fund:

21 \$ 250,000

22 DIVISION II

23 MISCELLANEOUS CHANGES

24 Sec. 21. Section 35A.13, subsection 6, Code 2017, is amended
25 by adding the following new paragraph:

26 NEW PARAGRAPH. *n.* Expenses related to survivor outreach
27 activities supported by the department of public defense
28 established in section 29.1.

29 Sec. 22. NEW SECTION. 80B.19 Academy internal training fund
30 clearing account.

31 1. Activities of the academy shall be accounted for within
32 the general fund of the state, except the academy may establish
33 and maintain an internal training clearing fund in accordance
34 with generally accepted accounting principles, as defined in
35 section 8.57, subsection 4, for activities of the academy

1 which are primarily from billings to governmental entities for
2 services rendered by the academy.

3 2. Internal training funds in the internal training
4 clearing fund shall be administered by the academy and shall
5 consist of moneys collected by the academy from billings issued
6 in accordance with chapter 80B, and any other moneys obtained
7 or accepted by the academy, including but not limited to gifts,
8 loans, donations, grants, and contributions, which are obtained
9 or designated to support the activities of the academy.

10 3. The proceeds of an internal training clearing fund
11 established pursuant to this section shall be used by the
12 academy and expended through the appropriated account of the
13 academy for the operations of the academy consistent with this
14 chapter. However, this usage requirement shall not limit or
15 restrict the academy from using proceeds from gifts, loans,
16 donations, grants, and contributions in conformance with any
17 conditions, directions, limitations, or instructions attached
18 or related thereto.

19 4. Section 8.33 does not apply to any moneys in the internal
20 training clearing fund established pursuant to this section.
21 Notwithstanding section 12C.7, subsection 2, interest or
22 earnings on moneys deposited in the fund shall be credited to
23 the fund.

24 Sec. 23. Section 805.6, subsection 4, paragraphs a, b, and
25 c, Code 2017, are amended to read as follows:

26 a. If the offense is one to which an assessment of a minimum
27 fine is applicable and the entry is otherwise not prohibited
28 by [this section](#), an amount equal to one and one-half times the
29 minimum fine and applicable surcharge assessed pursuant to
30 chapter 911, plus court costs.

31 b. If the offense is one to which a scheduled fine is
32 applicable, an amount equal to one and one-half times the
33 scheduled fine and applicable surcharge assessed pursuant to
34 chapter 911, plus court costs.

35 c. If the violation is for any offense for which a court

1 appearance is mandatory, and an assessment of a minimum fine
2 is not applicable, the amount of one hundred dollars and
3 applicable surcharge assessed pursuant to chapter 911, plus
4 court costs.

5 Sec. 24. 2014 Iowa Acts, chapter 1138, section 21, as
6 amended by 2016 Iowa Acts, chapter 1137, section 18, is amended
7 to read as follows:

8 SEC. 21. CONSUMER EDUCATION AND LITIGATION FUND.

9 Notwithstanding [section 714.16C](#), for each fiscal year of the
10 period beginning July 1, 2014, and ending June 30, ~~2018~~ 2019,
11 the annual appropriations in [section 714.16C](#), are increased
12 from \$1,125,000 to \$1,875,000, and \$75,000 to \$125,000
13 respectively.

14 Sec. 25. REPEAL. Sections 904.203, 904.204, 904.205, and
15 904.206, Code 2017, are repealed.

16 DIVISION III

17 FY 2018-2019

18 APPROPRIATIONS

19 Sec. 26. DEPARTMENT OF JUSTICE.

20 1. There is appropriated from the general fund of the state
21 to the department of justice for the fiscal year beginning July
22 1, 2018, and ending June 30, 2019, the following amounts, or
23 so much thereof as is necessary, to be used for the purposes
24 designated:

25 a. For the general office of attorney general for salaries,
26 support, maintenance, and miscellaneous purposes, including
27 the prosecuting attorneys training program, matching funds
28 for federal violence against women grant programs, victim
29 assistance grants, office of drug control policy prosecuting
30 attorney program, and odometer fraud enforcement, and for not
31 more than the following full-time equivalent positions:

32 \$ 3,336,154

33 FTEs 215.00

34 As a condition of receiving the appropriation provided
35 in this lettered paragraph, the department of justice shall

1 maintain a record of the estimated time incurred representing
2 each agency or department.

3 b. For victim assistance grants:

4 \$ 2,508,354

5 The moneys appropriated in this lettered paragraph shall be
6 used to provide grants to care providers providing services to
7 crime victims of domestic abuse or to crime victims of rape and
8 sexual assault.

9 The balance of the victim compensation fund established in
10 section 915.94 may be used to provide salary and support of not
11 more than 19.00 full-time equivalent positions and to provide
12 maintenance for the victim compensation functions of the
13 department of justice. In addition to the full-time equivalent
14 positions authorized pursuant to this lettered paragraph, the
15 department of justice is authorized 5.00 full-time equivalent
16 positions to provide maintenance for victim compensation
17 functions and such additional full-time equivalent positions
18 shall be used by the department of justice to employ one
19 accountant and four program planners. The department of
20 justice may employ the additional 5.00 full-time equivalent
21 positions authorized pursuant to this lettered paragraph only
22 if the department of justice receives sufficient federal moneys
23 to maintain employment for the additional full-time equivalent
24 positions during the current fiscal year. The department
25 of justice shall only employ the additional 5.00 full-time
26 equivalent positions in succeeding fiscal years if sufficient
27 federal moneys are received during each of those succeeding
28 fiscal years.

29 The department of justice shall transfer at least \$150,000
30 from the victim compensation fund established in section 915.94
31 to the victim assistance grant program.

32 Notwithstanding section 8.33, moneys appropriated in this
33 paragraph "b" that remain unencumbered or unobligated at the
34 close of the fiscal year shall not revert but shall remain
35 available for expenditure for the purposes designated until the

1 close of the succeeding fiscal year.

2 c. For legal services for persons in poverty grants as
3 provided in section 13.34:

4 \$ 1,152,301

5 2. a. The department of justice, in submitting budget
6 estimates for the fiscal year commencing July 1, 2019, pursuant
7 to section 8.23, shall include a report of funding from sources
8 other than amounts appropriated directly from the general fund
9 of the state to the department of justice or to the office of
10 consumer advocate. These funding sources shall include but
11 are not limited to reimbursements from other state agencies,
12 commissions, boards, or similar entities, and reimbursements
13 from special funds or internal accounts within the department
14 of justice. The department of justice shall also report actual
15 reimbursements for the fiscal year commencing July 1, 2017,
16 and actual and expected reimbursements for the fiscal year
17 commencing July 1, 2018.

18 b. The department of justice shall include the report
19 required under paragraph "a", as well as information regarding
20 any revisions occurring as a result of reimbursements actually
21 received or expected at a later date, in a report to the
22 co-chairpersons and ranking members of the joint appropriations
23 subcommittee on the justice system and the legislative services
24 agency. The department of justice shall submit the report on
25 or before January 15, 2019.

26 3. a. The department of justice shall reimburse the
27 costs and necessary related expenses incurred by the Iowa
28 law enforcement academy to employ one additional instructor
29 position who shall provide training for domestic abuse and
30 human trafficking-related issues throughout the state.

31 b. The department of justice shall obtain the moneys
32 necessary to reimburse the Iowa law enforcement academy to
33 employ such an instructor from unrestricted moneys from either
34 the victim compensation fund established in section 915.94, the
35 human trafficking victim fund established in section 915.95, or

1 the human trafficking enforcement fund established in 2015 Iowa
2 Acts, chapter 138, section 141.

3 Sec. 27. OFFICE OF CONSUMER ADVOCATE. There is appropriated
4 from the department of commerce revolving fund created in
5 section 546.12 to the office of consumer advocate of the
6 department of justice for the fiscal year beginning July 1,
7 2018, and ending June 30, 2019, the following amount, or so
8 much thereof as is necessary, to be used for the purposes
9 designated:

10 For salaries, support, maintenance, and miscellaneous
11 purposes, and for not more than the following full-time
12 equivalent positions:

13	\$	1,568,794
14	FTEs	22.00

15 Sec. 28. DEPARTMENT OF CORRECTIONS — FACILITIES.

16 1. There is appropriated from the general fund of the state
17 to the department of corrections for the fiscal year beginning
18 July 1, 2018, and ending June 30, 2019, the following amounts,
19 or so much thereof as is necessary, to be used for the purposes
20 designated:

21 a. For the operation of the Fort Madison correctional
22 facility, including salaries, support, maintenance, and
23 miscellaneous purposes:

24	\$	21,359,525
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25 b. For the operation of the Anamosa correctional facility,
26 including salaries, support, maintenance, and miscellaneous
27 purposes:

28	\$	16,413,582
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29 c. For the operation of the Oakdale correctional facility,
30 including salaries, support, maintenance, and miscellaneous
31 purposes:

32	\$	29,745,767
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33 d. For the operation of the Newton correctional facility,
34 including salaries, support, maintenance, and miscellaneous
35 purposes:

1 \$ 13,830,610
2 e. For the operation of the Mount Pleasant correctional
3 facility, including salaries, support, maintenance, and
4 miscellaneous purposes:
5 \$ 12,338,207
6 f. For the operation of the Rockwell City correctional
7 facility, including salaries, support, maintenance, and
8 miscellaneous purposes:
9 \$ 4,860,229
10 g. For the operation of the Clarinda correctional facility,
11 including salaries, support, maintenance, and miscellaneous
12 purposes:
13 \$ 12,542,703
14 Moneys received by the department of corrections as
15 reimbursement for services provided to the Clarinda youth
16 corporation are appropriated to the department and shall be
17 used for the purpose of operating the Clarinda correctional
18 facility.
19 h. For the operation of the Mitchellville correctional
20 facility, including salaries, support, maintenance, and
21 miscellaneous purposes:
22 \$ 11,197,045
23 i. For the operation of the Fort Dodge correctional
24 facility, including salaries, support, maintenance, and
25 miscellaneous purposes:
26 \$ 14,883,498
27 j. For reimbursement of counties for temporary confinement
28 of prisoners, as provided in sections 901.7, 904.908, and
29 906.17, and for offenders confined pursuant to section 904.513:
30 \$ 787,546
31 k. For federal prison reimbursement, reimbursements for
32 out-of-state placements, and miscellaneous contracts:
33 \$ 242,206
34 2. The department of corrections shall use moneys
35 appropriated in subsection 1 to continue to contract for the

1 services of a Muslim imam and a Native American spiritual
2 leader.

3 Sec. 29. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

4 There is appropriated from the general fund of the state to the
5 department of corrections for the fiscal year beginning July
6 1, 2018, and ending June 30, 2019, the following amounts, or
7 so much thereof as is necessary, to be used for the purposes
8 designated:

9 1. For general administration, including salaries, support,
10 maintenance, employment of an education director to administer
11 a centralized education program for the correctional system,
12 and miscellaneous purposes:

13 \$ 2,576,953

14 a. It is the intent of the general assembly that each
15 lease negotiated by the department of corrections with a
16 private corporation for the purpose of providing private
17 industry employment of inmates in a correctional institution
18 shall prohibit the private corporation from utilizing inmate
19 labor for partisan political purposes for any person seeking
20 election to public office in this state and that a violation
21 of this requirement shall result in a termination of the lease
22 agreement.

23 b. It is the intent of the general assembly that as a
24 condition of receiving the appropriation provided in this
25 subsection the department of corrections shall not enter into
26 a lease or contractual agreement pursuant to section 904.809
27 with a private corporation for the use of building space for
28 the purpose of providing inmate employment without providing
29 that the terms of the lease or contract establish safeguards to
30 restrict, to the greatest extent feasible, access by inmates
31 working for the private corporation to personal identifying
32 information of citizens.

33 2. For educational programs for inmates at state penal
34 institutions:

35 \$ 1,304,055

1 a. To maximize the funding for educational programs,
2 the department shall establish guidelines and procedures to
3 prioritize the availability of educational and vocational
4 training for inmates based upon the goal of facilitating an
5 inmate's successful release from the correctional institution.

6 b. The director of the department of corrections may
7 transfer moneys from Iowa prison industries and the canteen
8 operating funds established pursuant to section 904.310, for
9 use in educational programs for inmates.

10 c. Notwithstanding section 8.33, moneys appropriated in
11 this subsection that remain unobligated or unexpended at the
12 close of the fiscal year shall not revert but shall remain
13 available to be used only for the purposes designated in this
14 subsection until the close of the succeeding fiscal year.

15 3. For the development of the Iowa corrections offender
16 network (ICON) data system:

17 \$ 1,000,000

18 4. For offender mental health and substance abuse
19 treatment:

20 \$ 14,033

21 5. For department-wide duties, including operations, costs,
22 and miscellaneous purposes:

23 \$ 648,947

24 Sec. 30. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
25 SERVICES.

26 1. There is appropriated from the general fund of the state
27 to the department of corrections for the fiscal year beginning
28 July 1, 2018, and ending June 30, 2019, for salaries, support,
29 maintenance, and miscellaneous purposes, the following amounts,
30 or so much thereof as is necessary, to be used for the purposes
31 designated:

32 a. For the first judicial district department of
33 correctional services:

34 \$ 7,318,383

35 It is the intent of the general assembly that the first

1 judicial district department of correctional services maintain
2 the drug courts operated by the district department.

3 b. For the second judicial district department of
4 correctional services:

5 \$ 5,691,870

6 It is the intent of the general assembly that the second
7 judicial district department of correctional services establish
8 and maintain two drug courts to be operated by the district
9 department.

10 c. For the third judicial district department of
11 correctional services:

12 \$ 3,583,979

13 d. For the fourth judicial district department of
14 correctional services:

15 \$ 2,789,961

16 e. For the fifth judicial district department of
17 correctional services, including funding for electronic
18 monitoring devices for use on a statewide basis:

19 \$ 10,428,970

20 It is the intent of the general assembly that the fifth
21 judicial district department of correctional services maintain
22 the drug court operated by the district department.

23 f. For the sixth judicial district department of
24 correctional services:

25 \$ 7,356,583

26 It is the intent of the general assembly that the sixth
27 judicial district department of correctional services maintain
28 the drug court operated by the district department.

29 g. For the seventh judicial district department of
30 correctional services:

31 \$ 3,888,671

32 It is the intent of the general assembly that the seventh
33 judicial district department of correctional services maintain
34 the drug court operated by the district department.

35 h. For the eighth judicial district department of

1 correctional services:

2 \$ 4,042,261

3 2. Each judicial district department of correctional
4 services, within the funding available, shall continue programs
5 and plans established within that district to provide for
6 intensive supervision, sex offender treatment, diversion of
7 low-risk offenders to the least restrictive sanction available,
8 job development, and expanded use of intermediate criminal
9 sanctions.

10 3. Each judicial district department of correctional
11 services shall provide alternatives to prison consistent with
12 chapter 901B. The alternatives to prison shall ensure public
13 safety while providing maximum rehabilitation to the offender.
14 A judicial district department of correctional services may
15 also establish a day program.

16 4. The governor's office of drug control policy shall
17 consider federal grants made to the department of corrections
18 for the benefit of each of the eight judicial district
19 departments of correctional services as local government
20 grants, as defined pursuant to federal regulations.

21 5. The department of corrections shall continue to contract
22 with a judicial district department of correctional services to
23 provide for the rental of electronic monitoring equipment which
24 shall be available statewide.

25 Sec. 31. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
26 APPROPRIATIONS. Notwithstanding section 8.39, within the
27 moneys appropriated in this division of this Act to the
28 department of corrections, the department may reallocate the
29 moneys appropriated and allocated as necessary to best fulfill
30 the needs of the correctional institutions, administration
31 of the department, and the judicial district departments of
32 correctional services. However, in addition to complying with
33 the requirements of sections 904.116 and 905.8 and providing
34 notice to the legislative services agency, the department
35 of corrections shall also provide notice to the department

1 of management, prior to the effective date of the revision
2 or reallocation of an appropriation made pursuant to this
3 section. The department of corrections shall not reallocate an
4 appropriation or allocation for the purpose of eliminating any
5 program.

6 Sec. 32. INTENT — REPORTS.

7 1. The department of corrections in cooperation with
8 townships, the Iowa cemetery associations, and other nonprofit
9 or governmental entities may use inmate labor during the
10 fiscal year beginning July 1, 2018, to restore or preserve
11 rural cemeteries and historical landmarks. The department in
12 cooperation with the counties may also use inmate labor to
13 clean up roads, major water sources, and other water sources
14 around the state.

15 2. On a quarterly basis the department shall provide a
16 status report regarding private-sector employment to the
17 legislative services agency beginning on July 1, 2018. The
18 report shall include the number of offenders employed in the
19 private sector, the combined number of hours worked by the
20 offenders, the total amount of allowances, and the distribution
21 of allowances pursuant to section 904.702, including any moneys
22 deposited in the general fund of the state.

23 Sec. 33. ELECTRONIC MONITORING REPORT. The department of
24 corrections shall submit a report on electronic monitoring to
25 the general assembly, to the co-chairpersons and the ranking
26 members of the joint appropriations subcommittee on the justice
27 system, and to the legislative services agency by January
28 15, 2019. The report shall specifically address the number
29 of persons being electronically monitored and break down the
30 number of persons being electronically monitored by offense
31 committed. The report shall also include a comparison of any
32 data from the prior fiscal year with the current year.

33 Sec. 34. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

34 1. As used in this section, unless the context otherwise
35 requires, "state agency" means the government of the state

1 of Iowa, including but not limited to all executive branch
2 departments, agencies, boards, bureaus, and commissions, the
3 judicial branch, the general assembly and all legislative
4 agencies, institutions within the purview of the state board of
5 regents, and any corporation whose primary function is to act
6 as an instrumentality of the state.

7 2. State agencies are encouraged to purchase products from
8 Iowa state industries, as defined in section 904.802, when
9 purchases are required and the products are available from
10 Iowa state industries. State agencies shall obtain bids from
11 Iowa state industries for purchases of office furniture during
12 the fiscal year beginning July 1, 2018, exceeding \$5,000 or
13 in accordance with applicable administrative rules related to
14 purchases for the agency.

15 Sec. 35. IOWA LAW ENFORCEMENT ACADEMY.

16 1. There is appropriated from the general fund of the
17 state to the Iowa law enforcement academy for the fiscal year
18 beginning July 1, 2018, and ending June 30, 2019, the following
19 amount, or so much thereof as is necessary, to be used for the
20 purposes designated:

21 For salaries, support, maintenance, and miscellaneous
22 purposes, including jailer training and technical assistance,
23 and for not more than the following full-time equivalent
24 positions:

25	\$	477,378
26	FTEs	25.00

27 The Iowa law enforcement academy may temporarily exceed and
28 draw more than the amount appropriated in this subsection and
29 incur a negative cash balance as long as there are receivables
30 equal to or greater than the negative balance and the amount
31 appropriated in this subsection is not exceeded at the close
32 of the fiscal year.

33 2. The Iowa law enforcement academy may select at least
34 five automobiles of the department of public safety, division
35 of state patrol, prior to turning over the automobiles to

1 the department of administrative services to be disposed
 2 of by public auction, and the Iowa law enforcement academy
 3 may exchange any automobile owned by the academy for each
 4 automobile selected if the selected automobile is used in
 5 training law enforcement officers at the academy. However, any
 6 automobile exchanged by the academy shall be substituted for
 7 the selected vehicle of the department of public safety and
 8 sold by public auction with the receipts being deposited in the
 9 depreciation fund to the credit of the department of public
 10 safety, division of state patrol.

11 3. The Iowa law enforcement academy shall provide training
 12 for domestic abuse and human trafficking-related issues
 13 throughout the state. The training shall be offered at no
 14 cost to the attendees and the training shall not replace any
 15 existing domestic abuse or human trafficking training offered
 16 by the academy.

17 Sec. 36. STATE PUBLIC DEFENDER. There is appropriated from
 18 the general fund of the state to the office of the state public
 19 defender of the department of inspections and appeals for the
 20 fiscal year beginning July 1, 2018, and ending June 30, 2019,
 21 the following amounts, or so much thereof as is necessary, to
 22 be used for the purposes designated:

23 1. For salaries, support, maintenance, and miscellaneous
 24 purposes, and for not more than the following full-time
 25 equivalent positions:

26 \$ 13,091,122
 27 FTEs 223.00

28 2. For payments on behalf of eligible adults and juveniles
 29 from the indigent defense fund, in accordance with section
 30 815.11:

31 \$ 16,722,224

32 Sec. 37. BOARD OF PAROLE. There is appropriated from the
 33 general fund of the state to the board of parole for the fiscal
 34 year beginning July 1, 2018, and ending June 30, 2019, the
 35 following amount, or so much thereof as is necessary, to be

1 used for the purposes designated:

2 For salaries, support, maintenance, and miscellaneous
3 purposes, and for not more than the following full-time
4 equivalent positions:

5	\$	595,866
6	FTEs	10.75

7 Sec. 38. DEPARTMENT OF PUBLIC DEFENSE.

8 1. There is appropriated from the general fund of the
9 state to the department of public defense, for the fiscal year
10 beginning July 1, 2018, and ending June 30, 2019, the following
11 amounts, or so much thereof as is necessary, to be used for the
12 purposes designated:

13 For salaries, support, maintenance, and miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions:

16	\$	3,111,662
17	FTEs	248.00

18 2. The department of public defense may temporarily exceed
19 and draw more than the amount appropriated in this section and
20 incur a negative cash balance as long as there are receivables
21 of federal funds equal to or greater than the negative balance
22 and the amount appropriated in this section is not exceeded at
23 the close of the fiscal year.

24 Sec. 39. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
25 MANAGEMENT.

26 1. There is appropriated from the general fund of the state
27 to the department of homeland security and emergency management
28 for the fiscal year beginning July 1, 2018, and ending June
29 30, 2019, the following amounts, or so much thereof as is
30 necessary, to be used for the purposes designated:

31 For salaries, support, maintenance, and miscellaneous
32 purposes, and for not more than the following full-time
33 equivalent positions:

34	\$	1,060,964
35	FTEs	33.87

1 2. The department of homeland security and emergency
2 management may temporarily exceed and draw more than the amount
3 appropriated in this section and incur a negative cash balance
4 as long as there are receivables of federal funds equal to or
5 greater than the negative balance and the amount appropriated
6 in this section is not exceeded at the close of the fiscal
7 year.

8 Sec. 40. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
9 from the general fund of the state to the department of public
10 safety for the fiscal year beginning July 1, 2018, and ending
11 June 30, 2019, the following amounts, or so much thereof as is
12 necessary, to be used for the purposes designated:

13 1. For the department's administrative functions, including
14 the criminal justice information system, and for not more than
15 the following full-time equivalent positions:

16	\$	2,071,566
17	FTEs	37.00

18 2. For the division of criminal investigation, including
19 the state's contribution to the peace officers' retirement,
20 accident, and disability system provided in chapter 97A in the
21 amount of the state's normal contribution rate, as defined in
22 section 97A.8, multiplied by the salaries for which the moneys
23 are appropriated, to meet federal fund matching requirements,
24 and for not more than the following full-time equivalent
25 positions:

26	\$	6,795,272
27	FTEs	160.00

28 The division of criminal investigation may employ two of
29 the three additional full-time equivalent positions authorized
30 pursuant to this subsection that are in excess of the number
31 of full-time equivalent positions authorized for the previous
32 fiscal year only if the division of criminal investigation
33 receives sufficient federal moneys to maintain employment for
34 the additional 2.00 full-time equivalent positions during the
35 current fiscal year. The division of criminal investigation

1 shall only employ the additional 2.00 full-time equivalent
2 positions in succeeding fiscal years if sufficient federal
3 moneys are received during each of those succeeding fiscal
4 years.

5 3. For the criminalistics laboratory fund created in
6 section 691.9:

7 \$ 151,173

8 4. a. For the division of narcotics enforcement, including
9 the state's contribution to the peace officers' retirement,
10 accident, and disability system provided in chapter 97A in the
11 amount of the state's normal contribution rate, as defined in
12 section 97A.8, multiplied by the salaries for which the moneys
13 are appropriated, to meet federal fund matching requirements,
14 and for not more than the following full-time equivalent
15 positions:

16 \$ 3,726,650

17 FTEs 66.50

18 The division of narcotics enforcement may employ an
19 additional 1.00 full-time equivalent position authorized
20 pursuant to this lettered paragraph that is in excess of
21 the number of full-time equivalent positions authorized for
22 the previous fiscal year only if the division of narcotics
23 enforcement receives sufficient federal moneys to maintain
24 employment for the additional full-time equivalent position
25 during the current fiscal year. The division of narcotics
26 enforcement shall only employ the additional full-time
27 equivalent position in succeeding fiscal years if sufficient
28 federal moneys are received during each of those succeeding
29 fiscal years.

30 b. For the division of narcotics enforcement for undercover
31 purchases:

32 \$ 54,521

33 5. For the division of state fire marshal, for fire
34 protection services as provided through the state fire service
35 and emergency response council as created in the department,

1 and for the state's contribution to the peace officers'
 2 retirement, accident, and disability system provided in chapter
 3 97A in the amount of the state's normal contribution rate,
 4 as defined in section 97A.8, multiplied by the salaries for
 5 which the moneys are appropriated, and for not more than the
 6 following full-time equivalent positions:

7 \$ 2,343,357
 8 FTEs 53.00

9 6. For the division of state patrol, for salaries, support,
 10 maintenance, workers' compensation costs, and miscellaneous
 11 purposes, including the state's contribution to the peace
 12 officers' retirement, accident, and disability system provided
 13 in chapter 97A in the amount of the state's normal contribution
 14 rate, as defined in section 97A.8, multiplied by the salaries
 15 for which the moneys are appropriated, and for not more than
 16 the following full-time equivalent positions:

17 \$ 30,683,170
 18 FTEs 511.40

19 It is the intent of the general assembly that members of the
 20 state patrol be assigned to patrol the highways and roads in
 21 lieu of assignments for inspecting school buses for the school
 22 districts.

23 7. For deposit in the sick leave benefits fund established
 24 under section 80.42 for all departmental employees eligible to
 25 receive benefits for accrued sick leave under the collective
 26 bargaining agreement:

27 \$ 139,759

28 8. For costs associated with the training and equipment
 29 needs of volunteer fire fighters:

30 \$ 412,760

31 a. Notwithstanding section 8.33, moneys appropriated in
 32 this subsection that remain unencumbered or unobligated at the
 33 close of the fiscal year shall not revert but shall remain
 34 available for expenditure only for the purpose designated in
 35 this subsection until the close of the succeeding fiscal year.

1 b. Notwithstanding section 8.39, the department of public
 2 safety may reallocate moneys appropriated in this section
 3 as necessary to best fulfill the needs provided for in the
 4 appropriation. However, the department shall not reallocate
 5 moneys appropriated to the department in this section unless
 6 notice of the reallocation is given to the legislative services
 7 agency and the department of management prior to the effective
 8 date of the reallocation. The notice shall include information
 9 regarding the rationale for reallocating the moneys. The
 10 department shall not reallocate moneys appropriated in this
 11 section for the purpose of eliminating any program.

12 9. For the public safety interoperable and broadband
 13 communications fund established in section 80.44:

14 \$ 57,831

15 10. For the office to combat human trafficking established
 16 pursuant to section 80.45 as enacted by 2016 Iowa Acts, chapter
 17 1077, section 1, including salaries, support, maintenance,
 18 miscellaneous purposes, and for not more than the following
 19 full-time equivalent positions:

20 \$ 75,000

21 FTEs 2.00

22 11. For department-wide duties, including operations,
 23 costs, and miscellaneous purposes:

24 \$ 917,487

25 Sec. 41. GAMING ENFORCEMENT.

26 1. There is appropriated from the gaming enforcement
 27 revolving fund created in section 80.43 to the department of
 28 public safety for the fiscal year beginning July 1, 2018, and
 29 ending June 30, 2019, the following amount, or so much thereof
 30 as is necessary, to be used for the purposes designated:

31 For any direct support costs for agents and officers of
 32 the division of criminal investigation's excursion gambling
 33 boat, gambling structure, and racetrack enclosure enforcement
 34 activities, including salaries, support, maintenance, and
 35 miscellaneous purposes, and for not more than the following

1 full-time equivalent positions:

2 \$ 4,872,636
 3 FTEs 73.00

4 2. For each additional license to conduct gambling games on
 5 an excursion gambling boat, gambling structure, or racetrack
 6 enclosure issued during the fiscal year beginning July 1, 2018,
 7 there is appropriated from the gaming enforcement fund to the
 8 department of public safety for the fiscal year beginning July
 9 1, 2018, and ending June 30, 2019, an additional amount of not
 10 more than \$300,000 to be used for not more than 3.00 additional
 11 full-time equivalent positions.

12 3. The department of public safety, with the approval of the
 13 department of management, may employ no more than three special
 14 agents for each additional riverboat or gambling structure
 15 regulated after July 1, 2018, and three special agents for
 16 each racing facility which becomes operational during the
 17 fiscal year which begins July 1, 2018. Positions authorized
 18 in this subsection are in addition to the full-time equivalent
 19 positions otherwise authorized in this section.

20 Sec. 42. CIVIL RIGHTS COMMISSION.

21 1. There is appropriated from the general fund of the state
 22 to the Iowa state civil rights commission for the fiscal year
 23 beginning July 1, 2018, and ending June 30, 2019, the following
 24 amount, or so much thereof as is necessary, to be used for the
 25 purposes designated:

26 For salaries, support, maintenance, and miscellaneous
 27 purposes, and for not more than the following full-time
 28 equivalent positions:

29 \$ 578,531
 30 FTEs 30.00

31 2. The Iowa state civil rights commission may enter into
 32 a contract with a nonprofit organization to provide legal
 33 assistance to resolve civil rights complaints.

34 Sec. 43. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION.

35 1. There is appropriated from the general fund of the state

1 to the criminal and juvenile justice planning division of the
2 department of human rights for the fiscal year beginning July
3 1, 2018, and ending June 30, 2019, the following amount or
4 so much thereof as is necessary, to be used for the purposes
5 designated:

6 For salaries, support, maintenance, and miscellaneous
7 purposes, and for not more than the following full-time
8 equivalent positions:

9	\$	593,917
10	FTEs	9.56

11 2. The criminal and juvenile justice planning advisory
12 council and the juvenile justice advisory council shall
13 coordinate their efforts in carrying out their respective
14 duties relative to juvenile justice.

15 Sec. 44. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
16 MANAGEMENT. There is appropriated from the E911 emergency
17 communications fund created in section 34A.7A to the department
18 of homeland security and emergency management for the fiscal
19 year beginning July 1, 2018, and ending June 30, 2019, the
20 following amount, or so much thereof as is necessary, to be
21 used for the purposes designated:

22 For implementation, support, and maintenance of the
23 functions of the administrator and program manager under
24 chapter 34A and to employ the auditor of the state to perform
25 an annual audit of the E911 emergency communications fund:

26	\$	125,000
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27 EXPLANATION

28 The inclusion of this explanation does not constitute agreement with
29 the explanation's substance by the members of the general assembly.

30 This bill relates to and makes appropriations to the justice
31 system. The bill is organized by divisions.

32 FY 2017-2018 APPROPRIATIONS. The bill makes appropriations
33 from the general fund of the state for fiscal year 2017-2018 to
34 the departments of justice, corrections, public defense, public
35 safety, and homeland security and emergency management, and

1 the Iowa law enforcement academy, office of the state public
2 defender, board of parole, Iowa state civil rights commission,
3 and the criminal and juvenile justice planning division of the
4 department of human rights.

5 The bill appropriates moneys from the consumer education and
6 litigation fund to the department of justice for farm mediation
7 services for fiscal year 2017-2018.

8 The bill appropriates moneys from the department of commerce
9 revolving fund to the office of consumer advocate of the
10 department of justice for fiscal year 2017-2018.

11 The bill also appropriates moneys from the gaming
12 enforcement revolving fund to the department of public safety
13 for fiscal year 2017-2018.

14 The bill appropriates moneys from the wireless E911
15 emergency communications fund to the department of homeland
16 security and emergency management for fiscal year 2017-2018.

17 The bill provides that moneys appropriated to the veterans
18 trust fund established in Code section 35A.13 may be used, upon
19 a majority vote of the commission of veterans affairs, for
20 expenses related to survivor outreach supported by the Iowa
21 department of public defense.

22 The bill creates new Code section 80B.19 establishing the
23 Iowa law enforcement academy internal training clearing fund.
24 The bill provides that the activities of the academy shall be
25 accounted for within the general fund of the state, except
26 the academy may establish and maintain an internal training
27 clearing fund in accordance with generally accepted accounting
28 principles for activities of the academy which are primarily
29 from billings to governmental entities for services rendered by
30 the academy. The proceeds of the internal training clearing
31 fund shall be used by the academy and expended through the
32 appropriated account of the academy for the operations of the
33 academy.

34 The bill makes additional appropriations to the department
35 of public safety and the department of corrections for

1 department-wide duties.

2 The bill provides that an unsecured appearance bond for
3 state or local traffic violations, and for scheduled violations
4 under Code sections 805.8A, 805.8B, and 805.8C shall equal one
5 and one-half times the minimum fine and applicable surcharge,
6 plus court costs. Current law provides that the unsecured
7 appearance bond shall equal one and one-half times the minimum
8 fine plus court costs. An unsecured appearance bond is an
9 agreement by the defendant that if the defendant fails to
10 appear in person or by counsel to defend against the charge,
11 the court is authorized to enter a conviction and render
12 judgment against the defendant for the amount of the appearance
13 bond in satisfaction of the penalty plus court costs.

14 The bill extends the fiscal period for increasing the
15 appropriations from the consumer education and litigation fund
16 in Code section 714.16C to June 30, 2019. Under current law,
17 the increased appropriations from the consumer education and
18 litigation fund expire on June 30, 2018.

19 The bill repeals a provision requiring that the Rockwell
20 City correctional institution be utilized as a medium security
21 correctional facility for men.

22 The bill repeals a provision requiring that the Mount
23 Pleasant correctional facility be utilized as a medium security
24 facility for men primarily for treatment of inmates who exhibit
25 treatable personality disorders, with or without accompanying
26 history of drug or alcohol abuse.

27 The bill repeals a provision requiring that the Clarinda
28 correctional facility be utilized as a secure men's
29 correctional facility primarily for offenders with chemical
30 dependence, an intellectual disability, or mental illness.

31 The bill repeals a provision specifying that the Newton
32 correctional facility may include a minimum security facility
33 and a violator facility.

34 FY 2018-2019 APPROPRIATIONS. The bill makes appropriations
35 from the general fund of the state for fiscal year 2018-2019 to

1 the departments of justice, corrections, public defense, public
2 safety, and homeland security and emergency management, and
3 the Iowa law enforcement academy, office of the state public
4 defender, board of parole, Iowa state civil rights commission,
5 and the criminal and juvenile justice planning division of the
6 department of human rights.

7 The bill appropriates moneys from the department of commerce
8 revolving fund to the office of consumer advocate of the
9 department of justice for fiscal year 2018-2019.

10 The bill also appropriates moneys from the gaming
11 enforcement revolving fund to the department of public safety
12 for fiscal year 2018-2019.

13 The bill appropriates moneys from the wireless E911
14 emergency communications fund to the department of homeland
15 security and emergency management for fiscal year 2018-2019.

16 The bill repeals a provision specifying that the Newton
17 correctional facility may include a minimum security facility
18 and a violator facility.

19 The bill makes additional appropriations to the department
20 of public safety and the department of corrections for
21 department-wide duties.